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GOVERNMENT BILL—*cont.*

(2) THE TUNGABHADRA PROJECT (PREVENTION OF SPECULATION IN LAND) BILL, 1947 (L.A. BILL NO. 13 OF 1947) (AS PASSED BY THE ASSEMBLY).

THE HON. SRI KALA VENKATA RAO :—" Mr. President, Sir, I beg to move—

> '*that the Tungabhadra Project (Prevention of Speculation in Land) Bill,* 1947 (*L.A. Bill No.* 13 *of* 1947), *as passed by the Assembly be taken into consideration.*'

" Sir, it has undergone some important changes in the select committee in the other House." .

K. UPPI SAHIB BAHADUR :—" On a point of order, Sir, the Hon. Minister should first move to suspend standing order."

MR. PRESIDENT :—" What standing order? "

K. UPPI SAHIB BAHADUR :—" He has to ask you permission to suspend the standing order . . . "

MR. PRESIDENT :—" You mean leave to waive three days' notice? "

K. UPPI SAHIB BAHADUR :—" Yes."

MR. PRESIDENT :—" Government have already asked for that. That is why, I consulted you, as the Leader of the Opposition, before bringing this measure, whether you have any objection. (The hon. Member nodded assent.) The Hon. Minister may continue his speech."

THE HON. SRI KALA VENKATA RAO :—" Sir, the Bill seeks to prohibit large extent of land in the Tungabhadra project area being purchased in the expectation of a rise in price of land when the project comes into operation, and to resell them at a profit. The list of villages attached in the schedule of this Bill defines the area of operation of this Bill. All hon. Members know that this area is a famine area, and for the first time something is being done to bring water to these villages which are in the famine area. But, Sir, when certain people got knowledge that a project is coming into being, they began to purchase land, from Rupees five to Rupees fifty an acre, the purpose being that on a future date when the project comes into operation, the price of these lands will go up, and then by selling them they can make a profit. As a matter of fact otherwise one cannot see any reason why lawyers from Bapatla, Guntur and Tenali should go there and purchase land, which can never be for agricultural purposes. Even some of the commercial magnates of the locality who have nothing to do with agriculture have consistently purchased land under this project area. These gentlemen rely upon their business concern than upon agriculture as their profession. Therefore Government thought it necessary, that there should be a Bill which should prevent this speculation in future, and so under the new clause 3

they propose to take over such lands as are in excess of fifty acres at the price at which they were purchased and then disposed of them in the best interests of the locality and the country. Clause 9 of the Bill deals with an important aspect. It says that when a man has purchased a land in the project area, it cannot be alienated for thirty years. It is a beneficial provision which will go a long way to keep land from slipping into others hands. I must say this Bill is due to the efforts of Mr. Suryanarayana Rao. My record shows that he is one of the earliest few to bring this measure. I am glad that I have got the chance of bringing this measure, and I do hope the people of the locality will get the desired effect out of this Bill. I need not say anything more. I request this House to give this Bill a speedy passage."

* SRI B. BHIMA RAO :—" Sir, in supporting this measure I would say a few words. The complaint is that it is not as comprehensive as it should have been, in two or three respects, and I hope the Ministry will take these points, which I am going to mention presently, and attend to them. The first complaint with regard to this Bill is that my electorate consider it to be very limited in scope and that Government have not brought within its ambit the huge acreage which landlords in general, whose lands will be irrigated by this project, have in their possession. Some of the landlords have got two to three thousand acres, which will be benefited by this project. And I know when the Famine Code Revision Committee met, they gave an assurance, that when this project was brought into execution, they would give up lands in excess of fifty acres; and they have given that assurance, some orally, and some in writing. At that time it was thought the whole area will be irrigated with wet crops. But now, we see, for some reason or other, of which we are not aware, this project will irrigate only 15 thousand acres of wet crops and 2½ lakhs of acres with dry crops. At the time when we were proceeding with that committee, it was stated that ten lakhs of acres will be brought under cultivation under this project. It is not known why this acreage has been reduced from ten to three lakhs of acres, of which five per cent is to be irrigated with wet crops. Sir, this is nothing when compared with Kistna and Godavari delta.

" Sir, some people have been complaining and what they say has also been printed in a pamphlet, a copy of which I have given to the Hon. Minister for Public Works, that it is only a limited quantity of water that is to be impounded by this dam, and most of it is to be let down into the Kistna river, so that the ryots in that delta may have the benefit of this project. They complain this project has been undertaken not so much in the interest of the Rayalaseema districts as for the benefits of the ryots in the Kistna delta. It is for the Public Works Minister to answer those complaints, and I understand they are going to issue a Press Communiqué to-morrow, and not to-day, answering these objections. Anyhow the project is quite welcome, though no doubt it is limited in scope.

"The other complaint is they have not taken up what is called high canal project, I mean, the high level channel. If it had been undertaken it would have brought under irrigation at least double the acreage. Well, Sir, whatever it may be, we must be thankful for small mercies. From 1943 onwards several merchants have purchased thousands of acres which come under this project and as the Hon. Minister stated, some of them are from Guntur district and Kistna district, and as was pointed out by the Hon. Minister several lawyers including two or three lawyers from Bellary have purchased four thousand acres. Of course they have not purchased them for raising dry crops. Now they are disappointed; at least they are not so elated as they were when they purchased the lands.

"As I said, Sir, we are thankful for small mercies; and I hope in due time Government will bring in legislation to reduce the acreage of big landlords who own two thousand to three thousand acres. On the other hand they are entitled to purchase in addition not more than 50 acres. Under clause 4 (2) their present extent of land is secured and they too can purchase not more than 50 acres. I do not want to take up much time of the House, and I hope Government in due time will bring a comprehensive measure. With these words I support this measure."

* Sri R. Suryanarayana Rao :—" Mr. President, Sir, I am very happy that at last this measure which vitally affects the Tungabhadra Project area has been brought forward in this House. I am very grateful to the Hon. Minister for Land Revenue for associating my name in initiating this idea of restricting the extent of acquisition of lands under the project. Sir, on this occasion, you will forgive me if I indulge in speaking at some length which may appear to be delivering a budget speech. Sir, this project has been one of the dreams of many of the people of Rayalaseema. As Mr. Bhima Rao pointed out this scheme has undergone various changes. From the time of Mackenzie down to the time, if I may say so, of Dowley, it has undergone so many changes; and one wonders, why after all a scheme of this restricted kind has been adopted by Government. When the Famine Code Revision Committee considered this project—and I was one of its members—we recommended what we called the Swaminatha Ayyar's scheme, which consists of a low level canal and a high level canal, and it was estimated to cost, at that time, about 16 crores. But later on, there must have been some trouble with the Government of His Exalted Highness the Nizam of Hyderabad on the question of sharing of waters. The enormous cost involved in bringing a high level canal without adequate supply of water made Mr. Dowley, who was then the Chief Engineer for Irrigation, to think of this alternative scheme of the low level canal. It is true, Sir, those of us who have studied the Swaminatha Ayyar's scheme felt hopeful that both the low level canal and the high level canal would form part of this project, irrigating a large extent of land. We were all greatly disappointed; and as soon as we learnt that there was this

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restricted proposal, the present Minister for Industries and myself ran up to Tanjore, consulted Mr. Swaminatha Ayyar and presented a memorandum to the Adviser in charge of Irrigation, who was pleased to order that both the original scheme and the proposed scheme should be examined from all points of view. The Tirumalai Ayyangar report gives figures and facts relating to both the schemes. But, as I said, the difficulty seems to have arisen on the question of distribution of waters with the Government of His Exalted Highness the Nizam of Hyderabad and wisely, Sir, I believe, instead of waiting for a decision the Madras Government decided that we should proceed at least with the low level canal, at the same time not giving up their right for waters which would enable them to have the high level canal. When this question came up before the Ceded Districts Economic Development Board, the Special Chief Engineer for Irrigation for the Project assured us, that in the dam that he was putting up he was providing sluices for the high level canal also, so that, and if at any time it came into being—we hope it will come soon—by coming to an agreement with the Government of His Exalted Highness the Nizam of Hyderabad, they would also take up the high level canal. Therefore for the present it is a restricted scheme.

" Another feature to which Mr. Bhima Rao referred is, while the reservoir is at one place the benefits accrue from it to taluks situated far away from the reservoir. That is one of the reasons why there is opposition to the scheme. I feel, with due deference to Mr. Bhima Rao, who seems to share these misgivings of the misguided opposition to the scheme,—that all this opposition is because of the Minister for Land Revenue and his friends who are talking of linguistic provinces. The idea is, while the reservoir is located in the future Karnataka province, the waters therefrom are to irrigate the so-called Andhra districts of the Andhra province. (Laughter.) I wish this question of linguistic provinces is not brought up at this stage.

" Another point I want to deal with is the pamphlet about which Mr. Bhima Rao spoke. I have a copy of that pamphlet with me. It is but natural for people of Karnataka to feel as they do. By the way, I will go into the Karnataka province, when it is formed; because I come from a village situated in the Karnataka area; and I am not at all sorry for it. But the main objection behind this opposition to the scheme is due to the fact that the reservoir and the large number of villages and lands that will be submerged by the reservoir and the thirty thousand population that will be affected by this submersion belong to the Karnataka province; while the benefits therefrom will accrue to the Andhra districts of the so-called Andhra province. I am not worried about this at all. For when schemes of this large kind are undertaken some have to suffer so that a larger number may reap the benefits thereof. It is in this way the Hon. Minister for Public Works, when he visited some time ago those beautiful villages which will be submerged by the reservoir recently, brought home to the people

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of their unreasonableness. He said, 'it is true, you are going to suffer; but remember the very large number of people who will be benefited, and with the lands you have to give up, other taluks will become prosperous and that will also bring prosperity even to those who are now affected by it.'

"I am very sorry that the Government have delayed in issuing the promised communiqué on the subject. In fact, Sir, this Government has not taken the trouble to educate even the legislators about the Tungabhadra Project, its potentialities and its possibilities, though they have a big publicity department. Even my hon. Friend, Mr. Farookhi Sahib, who represented these districts in the Central Assembly does not know where Mallapuram is which is the area proposed to be submerged under water, where the water will flow and so on. Sir, the legislators have a right to know all these. It is the duty of the Government to educate the legislators first and then the public as to what this project stands for. The Government will issue a communiqué to-morrow as suggested by Mr. Bhima Rao, but the mischief has already been done. This leaflet I have in mind was issued two months ago and we have been asking the Government to counteract this propaganda. This leaflet is a conglomeration of exaggeration of facts and suppression of facts, but I do not blame the authors. It is a propaganda leaflet on behalf of the Karnataka province. In propaganda we have to take the weakest points in the opponent and make much of them. I am very sorry that this Government communiqué has been delayed. But I hope the communiqué when it is issued, will satisfy at least my friend, Mr. Bhima Rao, who has to plead with the voters in his constituency and satisfy them and tell them that the fact that they would belong to the Karnataka province or that they would not belong to an Andhra province should not influence them in anyway and prevent them from using their judgment in assessing the value of this project. Who knows, my hon. Friend, Mr. Bhima Rao, may be aware—that if a plebiscite is taken many of the taluks which are now claimed by people who want them to be included in an Andhra province may form part of the Karnataka province? Because, Sir, the other day, when the hon. Member, Mr. A. B. Shetty, when he was not Minister, put a question in the Assembly asking for a list of places in which Kanarese is the regional language, I was surprised to find that many of the taluks for which a claim is laid on behalf of the Andhra province are bilingual, and if a vote is taken many of the villages, perhaps whole taluks, may go into a Karnataka province. Unfortunately, Sir, I have to refer to this contentious question, but there it is. All this trouble is due to the fact that a proper appreciation of the benefits expected to be conferred by the project has not been brought home to the minds of the public. 6 p.m.

"Sir, the hon. Member, Mr. Bhima Rao, referred to a recommendation of the Famine Code Revision Committee relating to the restriction of holdings. It is true, Sir, the Famine Code Revision Committee suggested—they did not fix 100 acres though some of us fought for it—the Committee suggested that if within 10 years

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after the waters of the Tungabhadra is supplied for irrigation, the lands are found uncultivated, the Government should take the land from the landholders at the price at which lands were sold before the water was available and parcel them out among landless labourers. Sir, that was the idea at that time. And I am glad that in this Bill, fifty acres is considered to be a fairly economic unit under the Tungabhadra Project.

"Sir, I was one of those few people who were present on the occasion when His Excellency the Governor of Madras laid the foundation stone of this dam. I went up the hill where the foundation stone was laid and looked round, I was told that for the distance as far as my eye could reach, water would be impounded. It was a glorious sight for one to imagine what it would be when it became a fact. But I was wondering why, when so much water could be impounded, the waters could not be utilised from the beginning of the reservior by the lands about the reservoir right up to the end of the Kurnool taluk in Kurnool district. Unfortunately, Sir, the contour of the land is such that it is not possible for lands very near the dam site to be irrigated. Secondly, Sir, the level of the land is such, though the canal is running by its side, it is only on one side irrigation is possible and not on the other side. It is unfortunate, for in a place like Kistna district the waters would have irrigated both sides of the channel bringing more land under irrigation.

"Another fact which hon. Members must know is, if I am not mistaken and I hope I will not be corrected as I was done when I spoke on the Madras City Municipal Amendment Bill—for the first time, Sir, in the history of the world, what is called 'dry irrigation' is being adopted in this project area. The water is being let in to grow dry crops and not wet crops. Only a small percentage of the project area will be under wet cultivation growing wet crops. Most of the land, in fact 85 per cent of it, will be only dry-irrigated area growing dry crops like cholam, commercial crops like cotton, and perhaps in some areas where water is more easily available, indigo and other crops. Therefore, Sir, I do not think that 50 acres provided as the maximum extent of project land which a person may acquire is high.

"There is a point that was not made clear in the other House and might now be cleared by the Government. Why did not the Government accept all the points announced in the communiqué of the Madras Government, dated 7th February 1946. In this communiqué, the then Government laid down the principles on which they would bring forward legislation. I expected, Sir, to have all these points incorporated in this Bill, but I find, Sir, that it has not been done. One of the points made there was that a man may acquire up to 50 acres, but no person after the Act came into force could acquire more than 50 acres of the project land without Government's permission and such permission would only be given to those who satisfy the authorities that they are genuine agriculturists. No such condition exists here and anybody may now acquire 50 acres under the project. And then it was said: 'And

undertake not to dispose of the land until a certain number of years after the water is made available.' That has been accepted. But we do not find here the provision that if land is acquired in contravention of the provisions it will be liable to be confiscated. All that the present Bill says is: If a man acquires more land, within three years the Government can exercise the right of purchasing the land at rates at which the man purchased it. But the Advisers' regime had come to the conclusion that if anybody purchased more land than 50 acres after a particular date, all that land would become confiscated to Government, may I remind Sir, without compensation. In order to discourage persons from speculating in land before the Act came into force, all purchases of land between a date to be prescribed in 1944 and the commencement of the Act would be set off against the limit of 50 acres mentioned above and water would not be allowed for irrigating more than the restricted extent of the holding so acquired. This principle also has not been introduced. The Bill, Sir, seeks to take power for Government to acquire project land in certain areas, if a person has acquired more than 50 acres after 1st October 1944, but it does not penalise him to the extent the Advisers' Government wanted to do. It does not prevent a man who already has a thousand acres from acquiring 50 acres more, and if he is influential enough to get a permit, for acquiring 100 acres even. (Interruption) Yes, with a permit. I know he can manage to get a permit, Sir. It should have been made penal for any man who already has land to acquire even this 50 acres, because the land he already has will give him enough trouble to bring it under cultivation when the water flows down the canal.

" Sir, if only the good rule that we have suggested to the Government of having joint committees when bills of this kind are introduced had been followed, it would have enabled some humble people in this House also to have brought to the notice of the Government certain factors which should be taken into account when a Bill of this kind is introduced. Let it be remembered, Sir, that this Bill is of a socialistic nature: restricting a man from purchasing more than a certain extent of land tends toward socialism. Let us not fight shy of it. If we go further and prevent people from owning more than a certain extent, that is real socialism. Let nobody be sorry that we are proceeding along these lines, when the Advisers' Regime was prepared to go so far.

" Then, Sir, before I close I want to say one thing more. I have not given notice of any amendment because I want this Bill to be passed as soon as possible. After the communiqué was issued by the Adviser Government people who were sending out agents from far off Tenali and Bapatla ceased to do so and people who had bought lands even parted with them fearing that water would not be available or their lands would be confiscated. That apart, I appeal to the Hon. Minister for Land Revenue—I am glad the Hon. the Prime Minister is here—this project presents problems which are very big and perhaps only of the kind which arose under the Tennessey Valley Authority. Here I have the reports of the

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Special Officer covering hundreds of pages, dealing with every problem connected with the Tungabhadra Project, and the problems are many. There is the question of population at the area which is sparsely populated; there is the problem of cattle, manure, etc. There are also other problems connected with the bringing of land under cultivation, such as coaxing the ryot till now accustomed to depend on rain to make use of the canal water when the rains fail and also when the rains come in order to grow some other subsidiary crop. Then, Sir, it may be necessary to change the agricultural practices of the tract. The water can flow along the canal during certain periods only. What crops can best be grown, what proportion food crops should bear to commercial crops—these are some of the problems, which you come across in this project and which would not arise in a project intended for wet cultivation like the Ramapadasagar project. We have many such projects for dry irrigation in these areas such as the Gandikotta project. Therefore I would like the Government not to be satisfied with what they have done, but to take in hand and redeem the pledge given by the previous Prime Minister to appoint a high
6.15 p.m. power executive who will be in a position to take decisions on the various problems raised by the Special Officer and devise methods to solve them, so that when the waters flow along the canals, the lands may not remain barren as they are but become smiling fields."

THE HON. SRI KALA VENKATA RAO :—" Mr. President, Sir, both the speakers that have spoken on this proposition have spoken on subjects many of which do not belong to my portfolio. But nonetheless one or two points, I am bound to answer.

" With regard the need for a high power executive to deal with the general, social and economic advancement of the area, I may state that the matter is under the consideration of the Government, and when the time comes, Mr. Suryanarayana Rao will be more than satisfied in the matter.

" As a matter of fact, the only criticism that requires answer is that the big landlords still subsist in that area. People who own more than fifty acres of land not by purchase but by owning them for years have not been penalized. It is true. But such a type of legislation, when it comes, must be one which will be applicable to the whole presidency. We cannot start with that kind of legislation for a limited area which the present Bill will cover. When the Government feel the need and when people demand, such questions can be considered in the context of the whole presidency and decided. We have to judge this Bill by the immediate need, the need for preventing speculation, and I hope that the Bill satisfied that test.

" In the event of the High Level Channel scheme coming into existence, the area covered by this Bill will have to be extended beyond Bellary and Kurnool districts. Hence the new section 1 (2) (b) (ii) was added by the Select Committee. The Government are aware of any possible development that may occur, and they have provided for that also.

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" With regard to confiscation to which Mr. Suryanarayana Rao referred, that point was raised in the Select Committee also, but it did not find agreement. A day may come when we will have to deal with these things with a wider outlook and with an eye to a more equitable system of owning lands. Till then, my hon. friends must be satisfied with the present measure which will fulfil the immediate object for which it was intended. There was no criticims about that matter. I hope the hon. members will pass the Bill with all possible speed."

The motion was put and carried.

Clauses 2 to 16 were put and carried.

The Schedule was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

SRI KALA VENKATA RAO :—" I beg to move—
' *that the Bill be passed into law* '."

The motion was put and carried.

(3) THE MALABAR IRRIGATION WORKS (CONSTRUCTION AND LEVY OF CESS) BILL, 1947 (L.A. BILL NO. 14 OF 1947) (AS PASSED BY THE ASSEMBLY).

THE HON. SRI KALA VENKATA RAO :—" I beg to move—
' *that the Malabar Irrigation Works (Construction and Levy of Cess) Bill, 1947 (L.A. Bill No. 14 of 1947) as passed by the Assembly be taken into consideration at once.*'

" Malabar is a big district with a big population and also a big rainfall. As all know, the rivers flow directly into the sea and there are few irrigation works in the area. (The Hon. Sri K. Madhava Menon :—No irrigation works.) I can say that there is at least one irrigation work in Malabar. It was purchased from a private owner in 1902 for Rs. 3,152. It yields a net revenue of Rs. 240 per mensem. It is in Palghat taluk. Except this, the record shows that Malabar has no public irrigation work. The Bill provides for the acquisition of lands for the construction of reservoirs, tanks, dams, etc., in Malabar. The post-war schemes contain a few such proposals. But objection has been taken that the land in that area belongs to the janmis and not to the State. The object of the Bill is to confer on the Government powers necessary to acquire such private rights. Under clause 3 power is taken for the construction of irrigation works on Government or acquired lands.

" Another important feature is the levy of water-cess, which will be the first charge on the land and the crops raised thereon.